

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEVIN QUILLINAN,

No. C 11-05136 SI

Plaintiff,

ORDER TO SHOW CAUSE

V.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

On March 15, 2012, defendant filed a motion to dismiss this case arguing that plaintiff's claim for past due benefits was moot – because the past due benefits were paid after the complaint was filed – and for lack of subject matter jurisdiction for failure to exhaust administrative remedies. Plaintiff's opposition or response to that motion was due on March 29, 2012. As of this date, no opposition or other response has been filed.

Therefore, plaintiff shall file an opposition or other response on or before April 13, 2012. If plaintiff files an opposition or other response on or before April 13, 2012, defendant may file a reply on or before April 20, 2012.

If plaintiff fails to file an opposition or other response on or before April 13, 2012, the Court will dismiss this action for failure to prosecute under Federal Rule of Civil Procedure 41(b).

IT IS SO ORDERED.

Dated: April 4, 2012

Susan Illston

SUSAN ILLSTON
United States District Judge